

**MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS' MEETING ROOM ON MARCH 5, 2007, AT 6:00 P.M.**

**PRESENT: CHIVOUS BRADLEY, CHAIRMAN  
PAUL MCINTOSH, VICE CHAIRMAN  
MARGARET HELTON  
CHARLES HILL  
BRENT WASHBURN**

**\* \* \* \* \***

<b>INVOCATION/PLEDGE OF ALLEGIANCE</b>
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Chairman Bradley called the meeting to order and gave the invocation. Vice Chairman McIntosh led in the Pledge of Allegiance.

<b>PUBLIC COMMENTS</b>
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Chairman Bradley opened the floor for public comments.

Mr. Roger Richards stated that he had observed that members of the Board of Equalization and Review show prejudicial unfairness toward taxpayers. He expects to file an appeal for 2007. Therefore, he asked that the appeal not be heard by any previous members of the E&R Board. He plans to ask them to remove themselves voluntarily but, failing that, he will ask the Board of Commissioners to remove them from his appeal.

Mr. Henry Edwards read a letter that had been published in the local newspaper from a citizen who commented that the E&R Board had behaved in a manner hostile to the taxpayer. He asked that changes be made in the membership of the board.

<b>CONSENT AGENDA</b>
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Commissioner Washburn made a motion to approve the consent agenda. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

**Minutes**

By consent, the minutes of the February 5, 2007 and February 13, 2007 meetings were approved.

**Tax Refunds and Releases**

By consent, tax refunds of \$6,620.47 (as amended) and tax releases greater than \$100 totaling \$5,599.31 as outlined by Tax Administrator Rick Johnson were accepted. Tax releases of

amounts less than \$100, which totaled \$3,585.05, were submitted by the Finance Office. (A copy of these tax refunds and releases is in the Minute Book.)

### APPOINTMENTS

Chairman Bradley read the names of persons who have met the qualifications to be appointed to Rutherford County boards and commissions as set by the Board of Commissioners.

Commissioner Hill made a motion that the recommended appointments be approved. Commissioner Washburn seconded the motion. The motion was unanimously agreed to.

The appointments so made were:

Arts, Parks and Recreation Commission – Ashley Adams  
Domiciliary Home Advisory Committee—Mr. Bob Medford, Ms. Barbara Shuford, Ms. Pam Hutchins  
Watershed Commission – Mr. Earl Wells  
Greenhill Fire Department Board of Trustees for Firemen's Relief Fund—Mr. Eddie Parker  
Cliffside Fire Department Board of Trustees for Firemen's Relief Fund—Mr. Michael Sprouse  
Bill's Creek Fire Department Board of Trustees for Firemen's Relief Fund—Mr. Reginald Vess

### BUDGET AMENDMENTS

Ms. Paula Roach of the Finance Department presented and explained the budget amendments.

Commissioner Hill made a motion to approve the budget amendments. Commissioner Washburn seconded the motion. The motion was unanimously approved.

	Expense	Revenue
<b>GENERAL FUND</b>		
Sheriff - Road Patrol Uniforms/Equipment	7,000	
Sheriff Donations - Stonecutter Foundation		7,000
Animal Control - Supplies	790	
Sheriff - Overtime	315	
Sheriff - Road Patrol Uniforms/Equipment	5,278	
Sheriff - Training	2,000	
Sheriff - Forensics Supplies	1,259	
Sheriff - Interdiction Team Supplies	5,000	
Federal/State Forfeited Funds		13,068
Controlled Substance Tax Distribution		1,574

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Sheriff - Maintenance to Vehicles	10,115	
Detention - Maintenance to Vehicles	2,208	
Insurance Claims and Dividends		12,323
EMS - Workmens Comp	233	
Sheriff - Workmens Comp	2,614	
Animal Shelter - Workmens Comp	246	
Detention - Workmens Comp	1,344	
Contribution to DSS - Admin	6,330	
Special Appropriations - NC Counties Insurance Pool	(10,767)	
<b>DSS FUND</b>		
DSS - Workmens Comp	12,660	
Contribution from General Fund - Admin		6,330
DSS Aid to Admin		6,330
<b>E911 FUND</b>		
Lease Purchase Proceeds		28,000
Fund Balance Appropriated - Landlines	14,000	
Fund Balance Appropriated - Wireless	14,000	
Debt Service Payments - Landlines	1,214	
Debt Service Payments - Wireless	1,214	
Fund Balance Appropriated - Landlines		1,214
Fund Balance Appropriated - Wireless		1,214
<b>GRANT FUND</b>		
NC Housing Finance SFR07 - Administration	32,220	
NC Housing Finance SFR07 - Rehabilitation	315,000	
NC Housing Finance SFR07 - Temporary Relocation	7,780	
NC Housing Finance SFR07 - Soft Costs (Admin/Eng/Legal/Lead/etc)	45,000	
NC Housing Finance Grant - Single-Family Rehabilitation Program (SFR07)		400,000
Scattered Site Housing (2003 Grant) - Administration	1,000	
Scattered Site Housing (2003 Grant)-Construction	4,095	

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CDBG - Scattered Site Housing (2003 Project)		5,000
Fund Balance Appropriated		95
HRSA - Radio Network Equipment	37,650	
Mission Healthcare/HRSA Grant for Disaster Preparedness		37,650
Prof Services - Feasibility Study Cliffside Project	2,500	
Contribution - Cliffside Mills LLC		1,250
Contribution - Cliffside Rural Development		1,250
<b>TRANSIT FUND</b>		
NCDOT Refund - RGP/EDTAP (unexpended 2005-2006 funds)	9,097	
Fund Balance Appropriated		9,097
Salaries - Part Time	30,000	
Fuel	20,000	
Tires	1,948	
NCDOT - EDTAP Supplement		19,400
NCDOT - RGP Supplement		32,548
Transit - Workmens Comp	1,134	
Fund Balance Appropriated		1,134
<b>SOLID WASTE FUND</b>		
Landfill Collection - Workmens Comp	19,013	
Landfill Disposal - Workmens Comp	14,324	
Fund Balance Appropriated		33,337
<b>TOURISM FUND</b>		
Marketing	30,000	
Other Marketing	(21,000)	
Reserved for Future Projects	(9,000)	
Part-Time Salaries	4,000	
Special Projects	1,000	
General Promotions	7,000	
Professional Services - Advertising	14,000	
Reserved for Future Projects	(26,000)	

**PARKS AND RECREATION\CONTRACT**

Jerry Stensland reviewed the bid process by which the Arts, Parks and Recreation Board (now known as the Recreation, Culture and Heritage Commission) had selected McGill and Associates to help develop the long range plan to improve recreation facilities in the county. The planning process will look at possible changes and upgrades in existing parks, will solicit public input, and will address long-term needs. He explained that the fee for the consultant will come from the Professional Services line item in the current budget. The \$80,000 in the capital budget is being used for safety and other necessary immediate improvements. Once the plan has been completed, which he estimated will be in August, its implementation will take place over several budget years.

Commissioner Washburn made a motion to approve the \$32,000 contract with McGill and Associates to assist in the development of a long-range recreation plan for the county. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

**CRIMINAL JUSTICE ADVISORY BOARD\GRANT APPLICATION**

Ms. Karen Long presented the continuation grant application for the Criminal Justice Advisory Board. She explained that the grant amount of \$79,156.00, is the same as last year, with \$2,500 designated for operating expenses. The balance will be for direct services.

Commissioner Hill made a motion to approve the continuation grant application for the Criminal Justice Advisory Board. He further moved to approve the contract agreement with Universal Mental Health as presented. Commissioner Washburn seconded the motion. The motion was unanimously approved.

**RESOLUTION\74 CORPORATE CENTER\PUBLIC HEARING**

Manager Condrey presented a budget for 74 Corporate Center costs to be covered in a financing package and a resolution calling for a public hearing on such financing.

Commissioner Hill made a motion to approve the resolution calling for a public hearing on taxable financing in the amount of \$1,615,000.00 for site preparation costs at the 74 Corporate Center. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF RUTHERFORD, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**

**WHEREAS**, the County of Rutherford, North Carolina (the "County") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

**WHEREAS**, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment financing

contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

**WHEREAS**, the Board of Commissioners of the County (the "*Board of Commissioners*") determines that it is in the best interest of the County to enter into an installment financing contract (the "*Contract*") with a financial institution to be determined in order to pay the costs of (1) site preparation of land owned by the County to be developed as an industrial park, (2) capital expenses ancillary thereto, and (3) professional services associated with the development of the industrial park (collectively, the "*Projects*") and create a security interest in the real property improved and purchased in conjunction with the Projects (the "*Sites*") and any improvements thereon (together with the Sites, the "*Premises*") through a of trust and security agreement (the "*Deed of Trust*");

**WHEREAS**, the County hereby determines that the Projects will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

**WHEREAS**, the County hereby determines that the Contract allows the County to purchase the Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

**WHEREAS**, the County hereby determines that the estimated cost of the Projects is an amount not to exceed \$1,615,000 and that such cost of Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

**WHEREAS**, although the cost of the Projects pursuant to the Contract is expected to exceed the cost of the Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of the Projects pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; and (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of the Projects and (3) insufficient revenues are produced by the Projects so as to permit a revenue bond financing;

**WHEREAS**, the County has determined and hereby determines that the estimated cost of the Projects pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

**WHEREAS**, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

**WHEREAS**, the sums to fall due under the Contract will be adequate but not excessive for its proposed purpose;

**WHEREAS**, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

**WHEREAS**, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

**WHEREAS**, the County is not in default under any of its debt service obligations;

**WHEREAS**, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

**WHEREAS**, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

**WHEREAS**, a public hearing on the Contract after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract must be received; and

**WHEREAS**, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract and the Projects to be financed thereby.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF RUTHERFORD, NORTH CAROLINA, AS FOLLOWS:**

Section 1. **Application to LGC.** That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 2. **Special Counsel.** That Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, as special counsel, is approved.

Section 3. **Public Hearing.** That a public hearing (the "*Public Hearing*") shall be conducted by the Board of Commissioners on April 2, 2007 at 6:00 p.m. in the Commissioners Room, Rutherford County Office Building, 289 North Main Street, Rutherfordton, North Carolina, concerning the Contract, the proposed Projects and any other transactions contemplated therein and associated therewith.

Section 4. **Notice of Public Hearing.** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published

once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

Section 5. **Repealer.** That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 6. **Effective Date.** That this Resolution is effective on the date of its adoption.

On motion of Commissioner Charles Hill, seconded by Commissioner Paul McIntosh, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF RUTHERFORD, NORTH CAROLINA AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO**" was duly adopted by the following vote:

AYES: Chairman Chivous Bradley, Vice-Chairman Paul McIntosh, Commissioner Margaret Helton, Commissioner Charles Hill and Commissioner Brent Washburn

NAYS: None

### LEASE PURCHASE FINANCING

Manager Condrey advised that bids had been solicited for lease purchase financing and recommended the low bidder, RBC Centura. The bids were:

	BQ	NBQ	Fees
BB&T	3.78%	4.28%	
Monthly Payment	\$41,237.96	\$41,549.75	
Total	\$1,484,566.56	\$1,495,791.00	

First Charter	4.49%	6.85%	
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RBC Centura	3.59%	4.03%	100.00
Monthly Payment	\$41,119.80	\$41,393.62	
Total	\$1,480,412.80	\$1,490,270.32	

SunTrust	3.784%	3.784%	\$1,000.00
Monthly Payment	\$41,240.46	\$41,240.46	
Total	\$1,485,656.56	\$1,485,656.56	

Vice Chairman McIntosh made a motion to approve the bid from RBC Centura for 36-month financing of vehicles, equipment and computer hardware and software in the amount of \$1,401,402. Commissioner Washburn seconded the motion. The motion was unanimously approved.

### RESOLUTION

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$1,401,400.00 WITH RBC CENTURA BANK**



**TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE COUNTY OF RUTHERFORD, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

BE IT RESOLVED by the governing body for the County of Rutherford, North Carolina (the "Unit"):

Section 1. The governing body of the Unit does hereby find and determine:

- (a) The County of Rutherford proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- (b) After consideration, the governing body of the Unit has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- (c) Pursuant to Section 160A-20, the Unit is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- (d) RBC Centura Bank ("RBC Centura") has proposed that RBC Centura enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which RBC Centura will lend the Unit then amount of \$1,401,400.00 (the "Contract") and a related Escrow Agreement between the Unit and RBC Centura (the "Escrow Agreement").

Section 2. The governing body of the Unit hereby authorizes and directs the Authorized Finance Officer, Robert W. Bole, to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Unit in such form and substance as the person executing and delivering such instruments on behalf of the Unit shall find acceptable. The Clerk is hereby authorized to affix the official seal of the County of Rutherford to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for RBC Centura in such instance.

Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of RBC Centura.

Section 6. The Unit hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit will issue in the aggregate less than \$10,000,000 of tax-exempt obligations, including the Contract (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2006. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of Vice Chairman McIntosh, seconded by Commissioner Hill,

Members of the governing body, the foregoing resolution entitled "**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$1,401,400.00 WITH RBC CENTURA BANK TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**" was passed by the following vote:

Ayes: Bradley, McIntosh, Helton, Hill, and Washburn

Nays: None

PASSED AND ADOPTED this 5th day of March, 2007.

<b>RESOLUTION/BOARD OF EQUALIZATION AND REVIEW</b>
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Commissioner Washburn made a motion to approve the resolution calling for the establishment of a special Board of Equalization and Review in accordance with GS 105-322. Commissioner Hill seconded the motion. The motion was unanimously approved.

**RESOLUTION**

**TO APPOINT A SPECIAL BOARD OF  
EQUALIZATION AND REVIEW**

**WHEREAS**, the Rutherford County Board of Commissioners, pursuant to its authority as authorized by G.S. 105-322 has determined that it is reasonable and desirable to appoint a special Board of Equalization and Review to examine and review the listings and valuation of property located in Rutherford County and make adjustments and necessary changes to insure that valuations meet standards established by state law; and

**WHEREAS**, the resolution adopted herein shall remain in effect until revised or rescinded by this or some subsequent Board of Commissioners so as to keep the Board of Equalization and Review sitting for the dispatch of its business without the adoption of a resolution each year. This resolution supersedes any previous resolutions adopted by the Board of Commissioners regarding the establishment of a special Board of Equalization and Review in Rutherford County; now

**THEREFORE BE IT RESOLVED** that the Rutherford County Board of Commissioners does hereby establish a special Board of Equalization and Review as follows;

- 1) The special Board of Equalization and Review shall be composed of five regular members (and two alternate members in reappraisal years) and the Rutherford County Board of Commissioners shall designate one of the five regular members so appointed, as chairperson of the special Board of Equalization and Review. To be eligible for appointment, the person must be a citizen, resident, and taxpayer of Rutherford County. The length of term of each regular member shall be one (1) year.
- 2) The special Board of Equalization and Review members shall be compensated at a rate of \$20 per hour with the chairperson being compensated at the rate of \$25 per hour.
- 3) Each Commissioner shall have the opportunity to nominate one member of the Board of Equalization and Review. Nominations shall be made by submitting names and addresses of qualified individuals to the Clerk to the Board no later than the first Monday in March.
- 4) Vacancies shall be filled by the Board of Commissioners. An individual appointed to fill a vacancy shall serve until the end of the unexpired term. Any member appointed by the Board of Commissioners may be removed from the special Board of Equalization and Review by the Board of Commissioners with or without cause.
- 5) The Rutherford County Tax Administrator shall act as Clerk to the special Board of Equalization and Review, shall be present at all meetings and give to the Board such information as he/she may have or can obtain with respect to valuation of taxable property in the County.
- 6) It shall be the duty of the special Board of Equalization and Review to equalize the valuation of all property in the County, to that end such property shall be listed on the tax records at the valuation required by law.
- 7) The special Board of Equalization and Review shall hear any and all taxpayers who own or control taxable property assessed for taxation in the County with respect to valuation of such property or the property of others. The decision of the Board shall be by a majority of the members of the Board at a regular open meeting. A regular open meeting shall require the presence of at least three (3) members in attendance to comprise a quorum.
- 8) The special Board of Equalization and Review shall cause a record to be kept of the disposition made of such appeal to the Board, such record to be kept by the Clerk to the special Board of Equalization and Review.
- 9) The special Board of Equalization and Review may continue to meet following adjournment to carry out the following duties:
  - a. To hear and decide all appeals relating to discovered property under G.S. 105-312(d) and (k).
  - b. To hear and decide all appeals relating to the appraisal, situs, and taxability of classified motor vehicles under G.S. 105-330.2(b).

- c. To hear and decide all appeals relating to audits conducted under G.S. 105-296(j) and relating to audits conducted under 105-296(j) and (l) of property classified at present-use value and property exempted or excluded from taxation.
  - d. To hear and decide all appeals relating to personal property under G.S. 105-317.1(c).
- 10) All appeals from the special Board of Equalization and Review shall be to the North Carolina Property Tax Commission as provided in the Machinery Act.

**ADOPTED** this 5<sup>th</sup> day of March, 2007.

#### **APPOINTMENTS\2007 BOARD OF EQUALIZATION AND REVIEW**

Chairman Bradley presented the names of Shirley Evans, Robert McCutcheon, and Marshall Atchley, former members of the Board of Equalization and Review, who have submitted applications to serve on the 2007 E&R Board. He asked for nominations from the Commissioners. Commissioner Washburn noted that Herbert Ackroyd had withdrawn his application. Commissioner Helton nominated Edward Parker. Vice Chairman McIntosh nominated Javan Calton.

Commissioner Washburn made a motion to approve Shirley Evans, Robert McCutcheon, Marshall Atchley, Edward Parker and Javan Calton to serve on the Board of Equalization and Review. Vice Chairman McIntosh seconded the motion.

Commissioner Helton asked that each of the nominees be voted on separately. Accordingly, Chairman Bradley conducted a vote by show of hands for each prospective member. All received a majority vote and were approved.

Chairman Bradley presented the names of Commissioner Helton and Tom Carswell to serve as alternates on the Board of Equalization and Review. Commissioner Hill made a motion to approve these appointments. Commissioner Washburn seconded the motion.

Commissioner Helton asked to withdraw her name and placed the name of Rodney Robbins in her place.

The vote was 4 to 1, with Commissioner Hill casting a dissenting vote. The motion carried.

Commissioner Helton made a motion to name Edward Parker to serve as chairman of the Board of Equalization and Review. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

#### **STRATEGIC TELECOMMUNICATIONS PLAN**

Ms. Janet Smith of Janet L. F. Smith & Associates LLC presented a written report on the results of her assessment of the county's current telecommunications systems and forecast of needs for the future. She has spent the past several months identifying the strengths, opportunities and

weaknesses of the systems. She praised the forward looking attitude of the county and the capability of staff and presented her recommendations.

Manager Condrey stated that the study by Ms. Smith would require implementation over several years and that aspects of the plan would be included in specific budget proposals over that time span.

#### **EASEMENT\RUTHERFORD 74 CORPORATE CENTER/DUKE ENERGY**

Manager Condrey presented an agreement between the county and Duke Power for the relocation of electrical service to run along the property boundary. This line will serve the new state data center.

Commissioner Hill made a motion to approve the right-of-way to Duke Power for relocation of electrical lines at Rutherford 74 Corporate Center. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

#### **BONDS/SUBDIVISIONS**

Mr. Danny Searcy, County Planner, presented three performance guarantee agreements as recommended by the Planning Commission. He described the revised bond amounts and construction deadlines for Greyrock Phase 3 and said that Greyrock is making progress in meeting state environmental concerns.

Commissioner Helton asked whether DEHNR has certified that Greyrock is in compliance and wondered whether approval of the bonds should be delayed until the state is satisfied. Mr. Searcy pointed to the new staff at Greyrock and their efforts to come into compliance. Attorney Miller said that the county should approve the bonds in order to protect the interests of the people who have purchased lots in the development.

Commissioner Washburn made a motion to approve the Guarantee Improvement Agreements for Greyrock Phase 3, Ole Plantation Phase 2 and Gilbertowne East Phase 1. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

#### **WESTERN HIGHLANDS LME\TERM LIMITS/LEGISLATION**

Manager Condrey explained that each county has two seats on the LME board and that currently one of the seats in every county is held by the county manager or assistant county manager. Under the governing General Statute, members of the board are limited to no more than two successive three-year terms. At the request of the LME board and its chairman, Susan Hendrick, it is proposed to alter the statute so that, at the will of the County Commissioners, the term limit for the county representative can be waived.

Commissioner Hill made a motion to go on record in support of a bill in the NC Senate to change the LME term limits for board members. Commissioner Helton seconded the motion. The motion was unanimously approved.

<b>EMERGENCY MEDICAL DISPATCH</b>
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Manager Condrey presented an analysis showing that county operations are within budget for the year, which the Commissioners had set as a condition for beginning to implement the Emergency Medical Dispatch system. He proposed increasing communications staff under the present budget and then looking at software improvement and additional staff training in the new budget in July. He predicted that it would be possible to reach full EMD level by September.

Vice Chairman McIntosh made a motion to move ahead with first steps toward the Emergency Medical Dispatch system. He said this needs to be a priority item when the Commissioners are considering next year's budget. Commissioner Washburn seconded the motion. The motion was unanimously approved.

<b>ADJOURNMENT</b>
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Chairman Bradley declared the meeting adjourned.

Adjournment at 7:15 p.m.

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Chairman, Board of Commissioners

\_\_\_\_\_  
Vice Chairman, Board of Commissioners

Attest:

\_\_\_\_\_  
Clerk, Board of Commissioners